

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

DATE: DEC 16, 2004

CLERK'S MINUTES OF HEARING

HEARING BEFORE: SPECIAL MASTER VICKIE L. GABIN

CASE NAME & NUMBER: STATE OF NM V. ARAGON, 69CV07941-BB

RIOCHAMA ADJUDICATION, SECTIONS 3, 5 & 7

DATE OF HEARING: DECEMBER 14, 2004

TIME: 9:30 a.m.

COUNSEL:

PLAINTIFF:
EDWARD NEWVILLE, OSC

DEFENDANTS:

SEE ATTACHED LISTS

NOTES: Re: Order Setting Status Conference # 7615 filed 10-14-04
Status conference was held as scheduled at USDC in

Santa Fe. Matters discussed included:

- 1) General status of the adjudication of Sections 3, 5 & 7; Sec 3 - 85 subjects still open mostly in Cargelot; Sec 5 agreement on two remaining subjects had been reached; Sec 7 - 50% closed.
- 2) Status of federal non-Indian claims in Section 3 & 5; Considered conference detailed scheduling of these federal claims, US & State to circulate proposed schedule to agree upon by Feb 1, 2005
- 3) Proposed scheduling and procedural order for CIR.

COURT REPORTER: NONE

OTHERS IN ATTENDANCE:

SEE ATTACHED LISTS

7686

OSG & interested parties to confer and send proposed scheduling order on duty of water and methodology to Special Master by February 1, 2005; the proposal will be on agenda for February 10 general status conference

4) Proposed scheduling order for TxD claims in Section 2:

Counsel to compile list of task & proposed scheduling order and send to Special Master by Feb 1; the proposed order will be on agenda on February 10

5) Status of adjudication of state law-based water rights of Jicarilla Apache: counsel is to prepare status report for Special Master as soon as possible and submit proposed scheduling order Feb 10.

6) Status of historical reports for Sections 3 & 7: present to Special Master of possible changes to Order #7567 filed 8-26-04

7) Status of litigation of remaining Rio Grande disputed subfiles: reasons for delay in progress discussed as were different problems with different subfiles; atty's are to confer and submit to Special Master proposed amendments to pretrial order as soon as possible. The status of these subfiles will be again on the agenda for the February 10 general status conference

CHAMA ADJUDICATION

State of New Mexico ex rel. State Engineer v. Aragon, 69cv07941-BB-ACE
Sections 3, 5 & 7 General Status Conference

Tuesday, December 14, 2004

ATTENDANCE

Please Print

NAME

ADDRESS

ZIP CODE

TELEPHONE

ERNEST L PADILLA P.O. Box 2523 SANTA FE, NM 87504 (505)988-7577

DAVE GENUZI 999 18th St. #945 DENVER, CO 80202 (303)312-7352

Dale Pontius Dept. of the Interior
PO Box 1042 Santa Fe NM 87504 505-978-6200

John Utton POB 271
Abq NM 87103 505-699-1445

Fred Waltz Box 6390 NDCBU
Taos, NM 87571 505-758-0407

Mary Humphrey Box 1574
El Prado NM 87521 505-758-7203

Er Neville OSE 827-7444

Bruce Frederick OSE 827-4126

CHARLES Padilla OSE 827-6113
Hilario Rubio OSE 827-3822

A. Wifine Rail PO Box 603 Questa NM 87536 505-1734
Andrea Sandow PO Box 635 La Madera, nm 87539 (505) 583-9292

Ruby J Chacon P.O. Box 163 Gallina, NM 87047 638-5386
Eddie J Chacon PO Box 163 Gallina NM 87047 638 5386

Please See Next Page

SEE
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APR 16 2004 ES2 S27-79-71
Joe Garcia P.O. Box 90398
Albuquerque, N.M. 87199 298-0017
Don Diego Gonzalez 10 Silver Rd
Grant Porter SHO Pena Blanca 87041 465-0360
Santa Fe. 827-5756

CHAMA ADJUDICATION
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ATTENDANCE

Please Print

NAME	ADDRESS	ZIP CODE	TELEPHONE
	1239 Paseo de Peralta Laguna Park NM 87541	87541	(505) 982-3122

SUSAN JORDAN NORDHAUS LAW FIRM

Please See Next Page